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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,188	04/07/2000	Katsuhisa Watanabe	862.C1887	1522

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EXAMINER

NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/545,188	WATANABE, KATSUHISA
	Examiner Le Nguyen	Art Unit 2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 January 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,3-6,8-11 and 13-21 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1, 3-6, 8-11 and 13-21 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. This communication is responsive to Amendment A, filed 1/10/2003.
2. Claims 1-21 are pending in this application. Claims 1, 6, 11, 16, 18 and 20 are independent claims. In the Amendment A, claims 16-21 were added, claims 2, 7 and 12 were cancelled and claims 1, 3-6, 8-11 and 13-15 were amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.
4. As requested, document to support that the screen dump is indeed prior art to the subject application has been included.
5. As an oversight by the examiner, Screen Dump Microsoft NT 4.0 Explorer (“MS NT Explorer”) as referenced by the examiner should be corrected to Screen Dumps of Microsoft Windows or MS Screen Dump.

*Claim Rejections - 35 USC § 103*

6. Claims 1, 3-6, 8-11 and 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dev et al. (“Dev”, US 5,261,044) in view of Screen Dumps of Microsoft Windows (“MS Screen Dump”).

As per claim 1, Dev teaches a network terminal apparatus comprising: management means for managing settings for each of a plurality of functions, wherein the setting information indicates an identifier of each function and one or a plurality of peripheral devices for implementing each function (col. 2, lines 16-17). Dev teaches settings information display means

for displaying settings information in regard to a function corresponding to an icon selected by a user from among the icons displayed by the icon display means (col. 2, lines 57-64). Dev does not teach the settings information display means for displaying settings information in regard to a function corresponding to an icon selected by a user from among the icons displayed by the icon display means. However, Dev teaches icon display means for displaying icons each function managed by the management means (col. 2, lines 50-57). Therefore, it would have been obvious to an artisan at the time of the invention to extend Dev's use of icons to include the use of icons to represent a function in order to provide users with a visual indication, representative of a computer action/function, without having to remember commands or type them at the keyboard, which results in a significant increase in user-friendliness of GUIs and to PCs in general. It is noted that Dev's functions corresponding to icons are included as part of a composite icon (col. 2, lines 57-64).

Furthermore, although Dev does disclose that additional settings information are displayed, Dev does not teach the information to be displayed in the proximity of the icon display area. MS Screen Dump teaches displaying in proximity, the information of the peripheral device in regard to the desired function. Therefore, it would have been obvious to an artisan at the time of the invention to include MS Screen Dump's teaching of displaying in proximity, the information of the peripheral device in regard to the desired function with Dev's teaching of displaying additional settings information in order to quickly view settings information without having to perform additional steps.

As per claim 3, Dev teaches a network terminal apparatus comprising search means for acquiring information concerning each of various peripheral devices connected to a network (col.

5, lines 36-40) and device icon displays means for displaying at least one icon corresponding to each of various peripheral devices, based on the information acquired by the search means (fig. 7C; col. 3, lines 5-8 and col. 5, lines 36-40; information is acquired by the search means and *each icon/icon area corresponds to a different aspect/function of the device*).

As per claim 4, Dev teaches a network terminal apparatus wherein the settings information display means displays at least information relating to the type of peripheral device or a network name of the peripheral device as the settings information (col. 15, lines 14-27).

As per claim 5, the modified invention of Dev and MS Screen Dump teaches a network terminal apparatus comprising designating means for allowing the user to designate, in order to select, a desired icon from among the icons displayed by the icon display means (Dev; col. 3, lines 5-8; *provided is a network terminal apparatus wherein when the user selects one of the composite icon, the network management system provides a visual display of detailed information relating to the selected area*); wherein, when a desired icon is designated for a predetermined period of time by the designating means, the settings information display means displays, in proximity of the desired icon, tool-tips for displaying settings information in regard to the function corresponding to the desired icon (MS Screen Dump, figs. 2-3).

As per claim 17, MS Screen Dump as modified teaches the network terminal apparatus wherein the designating means that designates the icon is a cursor and the at least a part of settings information is displayed by the settings information display means when the cursor is placed on the designated icon for the predetermined period of time (MS Screen Dump, figs. 2-3 *with cursors 210 and 310 respectively*).

Claims 6 and 11 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 8 and 13 are individually similar in scope to claim 3 and are therefore rejected under similar rationale.

Claims 9 and 14 are individually similar in scope to claim 4 and are therefore rejected under similar rationale.

Claims 10, 15-16, 18 and 20 are similar in scope to claim 5 and are therefore rejected under similar rationale.

Claims 19 and 21 are individually similar in scope to claim 17 and are therefore rejected under similar rationale.

#### *Response to Arguments*

7. Applicants' arguments in the Amendment A have been fully considered but they are not persuasive.

Applicants argued the following:

(a) Dev is not seen to disclose or to suggest at least the feature of displaying at least a part of the settings information in regard to a function corresponding to an icon selected by a user in *proximity* of the selected icon; and

(b) the displayed printer of MS Screen Dump does not display a plurality of peripheral devices for implementing the function.

The examiner disagrees for the following reasons:

Per (a), the argument is moot in view of the new grounds of rejection.

Per (b), the teaching taken from this reference is for proximity display of settings information of a displayed object in regard to the desired function as taught by MS Screen Dump. As far as deficiency teaching of the plurality of peripheral devices for implementing the function is concerned, the Dev reference already teaches this.

Furthermore, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### ***Conclusion***

8. Applicant's amendment necessitated the new grounds) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event. However, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

*Inquires*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê Nguyen whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 8:00 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen  
Patent Examiner  
February 3, 2003

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100